

**House File 2058 - Introduced**

HOUSE FILE 2058

BY SALMON

**A BILL FOR**

1 An Act relating to public indecent exposure in certain  
2 establishments, and making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 216.7, subsection 2, Code 2022, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. c. The prohibition on the exposure of the  
4 genitals, buttocks, or female breast of any person employed by  
5 or who patronizes the public accommodation.

6 Sec. 2. Section 728.5, subsection 1, unnumbered paragraph  
7 1, Code 2022, is amended to read as follows:

8 An owner, manager, or person who exercises direct control  
9 over a place of business required to obtain a sales tax permit,  
10 or an owner, manager, or person who exercises direct control  
11 of a public accommodation as defined in section 216.2, shall  
12 be guilty of a serious misdemeanor under any of the following  
13 circumstances:

14 Sec. 3. Section 728.5, subsection 1, paragraph d, Code 2022,  
15 is amended to read as follows:

16 d. If such person allows or permits any person to remain in  
17 or upon the place of business who exposes to public view the  
18 person's genitals, pubic hair, female breast nipple, or anus.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with  
21 the explanation's substance by the members of the general assembly.

22 This bill relates to public indecent exposure in certain  
23 establishments.

24 The bill provides that it shall not be an unfair or  
25 discriminatory practice for an owner, lessee, sublessee,  
26 proprietor, manager, or superintendent of any public  
27 accommodation or any agent or employee thereof to prohibit the  
28 exposure of the genitals or buttocks or female breast of any  
29 person employed by or who patronizes the public accommodation.

30 The bill provides that an owner, manager, or person who  
31 exercises direct control over a place of business required to  
32 obtain a sales tax permit, or an owner, manager, or person who  
33 exercises direct control of a public accommodation as defined  
34 in Code section 216.2, shall be guilty of a serious misdemeanor  
35 if such person allows or permits any person to remain in or

1 upon the place of business who exposes to public view the  
2 person's genitals, pubic hair, female breast nipple, or anus.  
3 A serious misdemeanor is punishable by confinement for no  
4 more than one year and a fine of at least \$430 but not more than  
5 \$2,560.